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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/558,272	11/28/2005	Rolf Bastesen	51402-224463	8440
26694	7590	09/10/2007		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER MAYO, TARA L	
			ART UNIT	PAPER NUMBER
			3671	
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			09/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/558,272

Applicant(s)

BASTESEN ET AL.

Examiner

Tara L. Mayo

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on 28 November 2005.

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-27 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-5 and 20-27 is/are rejected.

7) ☒ Claim(s) 6-19 is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 28 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20051128.

4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it includes language that can be implied. On line 1, delete "This invention relates to a" and insert therefore --A--. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

3. Claim 2 is objected to because of the following informalities: minor claim drafting errors.

In claim 2 on line 4, delete "secure" and insert therefor --ensure--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 20 through 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 20, the scope of the claimed invention is indefinite because it fails to recite any method steps.

Claim 24 recites the limitation "the alignment structure" on line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 through 5 and 20 through 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Andersen et al. (U.S. Patent No. 4,832,530).

*Regarding claims 1 through 5, for the purpose of prosecution on the merits the Examiner has considered the scope of the claimed invention to be inclusive of the spool piece termination structure, a spool piece, a spool piece hub, a pipeline end section and a pipeline hub.*

Art Unit: 3671

Andersen et al. '530, as best seen in Figures 1 and 2, show a spool piece termination structure to be mounted to a spool piece so as to support a spool piece hub during the connection of the spool piece hub to a corresponding pipeline hub, the termination structure comprising:  
with regard to claim 1,

a clamping device (28) for clamping together said spool piece hub and pipeline hub, and  
a base frame (46) openly shaped downwards so as to allow the termination structure to receive a pipeline end section provided with said pipeline hub by lowering the termination structure downwards onto said pipeline end section (col. 5, lines 6 through 10);  
with regard to claim 2,

further comprising a guiding device (24 and 26, collectively) for engaging the pipeline end section when received in the termination structure so as to ensure that the pipeline end section and the associated pipeline hub are properly received and positioned in the termination structure;

with regard to claim 3,

landing means (56) to allow the termination structure to rest on the seabed or on a fabricated subsea foundation;

with regard to claim 4,

further comprising a lifting appliance (53 and 54, collectively) for lifting a pipeline end section received in the termination structure upwards in relation to the base frame; and

with regard to claim 5,

wherein the clamping device is fixedly secured in relation to the base frame (via element 22) so as to be displaceable together with the base frame.

With regard to claims 20 through 25, the method steps recited therein are inherent to the use of the device disclosed by Andersen et al. '530.

Andersen et al. '530 disclose a pipeline termination to applied to the end section of a pipeline so as to allow the pipeline to be connected sub-sea to a spool piece, the pipeline termination comprising:

with regard to claim 26,

a pipeline hub (62) designed for connection to a corresponding spool piece hub, and  
a flange located (88) behind the pipeline hub and designed to constitute a reaction shoulder for use in the alignment and displacement of the pipeline termination and the associated pipeline hub in relation to said spool piece hub; and

with regard to claim 27,

wherein the flange is rotationally symmetric.

***Allowable Subject Matter***

8. Claims 6 through 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).


***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tara L. Mayo whose telephone number is 571-272-6992. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
TARA L MAYO  
PRIMARY EXAMINER  
Art Unit 3671

tlm  
29 August 2007